# **NEWS**

# From Supervisor Gary Ovitt Fourth District, San Bernardino County

PRESS ADVISORY October 10, 2007



For information, contact Burt Southard (909) 387-4866

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## **Ovitt Announces Historic Cooperative Agreement**

This Friday, October 12, 2007, an historic signing ceremony will take place in Los Angeles, CA at the Caltrans District 7 Office, 100 South Main Street, Room 01-040A at 9:30 a.m. Local, regional, state and federal agencies will meet to sign an historic agreement establishing the Southern California National Freight Gateway Collaboration. The collaboration will address the challenges presented by record growth in freight movement by ships, trucks and trains throughout the region.

Supervisor Gary Ovitt will be a signatory to this historic document as President of the Southern California Association of Governments.

Following is the Agreement along with the signatories and the agency they represent:

#### SOUTHERN CALIFORNIA NATIONAL FREIGHT GATEWAY

### COOPERATION AGREEMENT AMONG FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES

#### **Preamble**

We the undersigned support a cooperative framework for the Southern California National Freight Gateway that concurrently addresses growing freight throughput capacity balanced with environmental and community concerns in the Southern California National Freight Gateway Area (the Area). The USDOT has promulgated a *National Strategy to Reduce Congestion on America's Transportation Network*. The strategy incorporates a focus on major freight bottlenecks, including the Area, and expanding public outreach in the Area with various involved agencies and other public and private interests. This *National Strategy* incorporates the ideals of the USDOT *Framework for a National Freight Policy*. The *Framework* offers a vision and objectives to help public and private transportation stakeholders cooperatively pursue freight transportation improvements that support economic vitality and strategic growth while also improving environmental quality.

#### The Challenge

Over 40 percent of all goods imported into the U.S. flow through Southern California, the largest port complex in the U.S., with the vast majority of these goods distributed throughout the country. The combination of increasing freight flows, the projected 25 percent population increase by 2030 and inadequate transportation infrastructure funding will intensify the congestion in the region's already overcrowded transportation system and increase impacts on the environment. Without major actions and assistance from all government levels to protect and enhance the environment, freight movements through the region will increase the already significant impacts on the quality of life in Southern California's communities and the environment overall.

Pursuing sustainable and efficient regional freight transportation operations offers significant economic opportunities to the region in the form of additional business, more and better quality jobs, and enhanced local, State and federal tax revenues. Successful transportation improvement efforts in Southern California will require extensive collaboration by a large and diverse group of interested parties including Federal, State and numerous local entities; private industry; unions and the public. Important steps have already been taken at the Federal, state and local levels. Going forward, the outcome to be achieved is the connection of freight growth with protection and enhancement of the natural and human environment, to resolve the freight transportation issues facing Southern California.

#### **Purpose**

The purpose of this agreement is to promote cooperation, coordination and collaboration among the signatories to advance projects for sustainable and efficient freight transportation operations while all signatories pursue their normal responsibilities under the law. This agreement is not intended to limit, increase or affect the authority of any agency under the law. The undersigned agree to cooperate with all stakeholders in the Area to improve freight throughput capacity while protecting and enhancing the natural and human environment.

#### **Plan of Cooperation**

With the mutual understanding that this is a flexible agreement for cooperation among our respective agencies, we agree to do the following:

- Cooperate to improve sustainable and efficient freight transportation operations in the Area, while protecting and enhancing the natural and human environment;
- Use this forum as a means to create better understanding among all stakeholders of underlying considerations and potential impacts and alternatives for proposed Southern California transportation projects related to goods movement;
- Cooperate regarding the development of a Strategic Framework for achieving sustainable and efficient freight transportation operations in the Area in harmony with California's Goods Movement Action Plan (<a href="http://www.bth.ca.gov/pdf/gmap-1-11-07.pdf">http://www.bth.ca.gov/pdf/gmap-1-11-07.pdf</a>) (although this does not signify endorsement of any specific project):
- Consider improvements to the transportation decision-making and environmental review processes to expeditiously advance the objective of the Strategic Framework;

- Take into account the existing environmental programs of ports and their tenants in order to work cooperatively to reduce air quality-related freight movement emissions consistent with the Area's air quality implementation plan;
- Cooperate regarding the establishment of agreed procedures and protocols to carry out the intent of this agreement in an efficient manner;
- Arrange for senior management representatives of the agencies to meet within 60 days of the signing of this agreement and to continue to meet twice a year through the term of this agreement, to discuss emerging problems, issues and priorities for each organization, and to report on the status of the initiatives;
- Assign a contact person, within their respective organization, who will serve on a Steering Committee that will be responsible for setting the semi-annual meetings, tracking the status of the initiatives, and communicating results to internal and external stakeholders;
- Update this agreement periodically, by agreement of the agencies based upon accomplishments and new priorities.

#### Miscellaneous

The expenditure or advance of any money or the performance of any obligation of the United States under this agreement shall be contingent upon appropriation or allotment of funds in accordance with 31 USC 1341 (Anti-Deficiency Act).

This Cooperation Agreement facilitates cooperation among the parties; it shall not be interpreted to form a partnership, joint venture, or contract, and it shall not be interpreted to require Federal agencies to analyze State projects and programs under the National Environmental Policy Act unless those Federal agencies would be required to perform such analyses in the absence of this Cooperation Agreement. This agreement does not delegate to any agency, or the collective group of agencies, the authority to: (1) control another agency's final decision on a project; (2) modify or halt an agency's project; or (3) limit the discretion of the signatory agencies in carrying out their statutory and regulatory obligations, including the agencies' discretion to pursue projects according to their individual legal authorities.

Nothing in this Cooperation Agreement shall have the effect of changing any existing provision of applicable Federal or State law, regulations, or other agreements between the signatory agencies. All provisions of this Cooperation Agreement are intended and shall be interpreted to be consistent with all applicable provisions of Federal and State law.

The term of this agreement shall end on December 31, 2015 unless further extended by agreement of the signatories. Any signatory may withdraw from this agreement by giving 90 days prior written notice to the other signatories.

This agreement may be signed in counterparts with the same effect as if all the signatories had signed the same document and, for convenience, the signatures may be aggregated electronically into a single document. Additional agencies may be added from time to time with the approval of the then signatories.

**IN WITNESS WHEREOF**, the parties have signed this Cooperation Agreement on the dates set forth below their signatures.

## **FEDERAL AGENCIES**

<b>United States Department of Transportation</b>
By:
Julie A. Nelson
Deputy Maritime Administrator
Date:
<b>United States Environmental Protection Agency</b>
By:
Wayne Nastri
Regional Administrator, Region 9
Date:
<b>United States Army Corps of Engineers</b>
By:
John R. McMahon,
Brigadier General, U.S. Army
Commanding
Date:
United States Fish and Wildlife Service
By:
Steve Thompson
Manager,
California and Nevada Operations
Date:
National Marine Fisheries Service National Oceanic and Atmospheric Administration
By:
Rodney R. McInnis

## **STATE OF CALIFORNIA**

California Business, Transportation and Housing Agency
By:
Dale E. Bonner
Secretary of the Business, Transportation and Housing Agency
Date:
California Environmental Protection Agency
By:
Linda Adams
Secretary for Environmental Protection
Date:
California Resources Agency
By:
Mike Chrisman
Secretary for Resources
Date:
California Air Resources Board
By:
Mary D. Nichols, Chairman
Date:
California Department of Transportation
By:
By: Will Kempton, Director

### **REGIONAL/LOCAL AGENCIES**

Southern California Association of Governments, by and through its Regional Council
By:Gary Ovitt, President
Date:
South Coast Air Quality Management District
By: Dr. William A. Burke, Chairman
Date:
CTCs  Los Angeles County Metropolitan Transportation Authority
By: Roger Snoble, Chief Executive Officer
Date:
Orange County Transportation Authority
By:
Carolyn Cavecche, Chairman
Date:
Riverside County Transportation Commission
By: Terry Henderson, Chairman
Terry Henderson, Chairman

San Bernardino Associated Governments
By: Lawrence Dale, President
Date:
Ventura County Transportation Commission
By: Ginger Gherardi, Executive Director
Date:
<u>PORTS</u>
City of Los Angeles, a municipal corporation, acting by and through its Board of Harbor Commissioners
By: Geraldine Knatz, Executive Director
Date:
Attest: Secretary
Approved as to form:
City of Long Beach, a municipal corporation, acting by and through its Board of Harbor Commissioners
By: Richard D. Steinke Executive Director, Long Beach Harbor Department

Date:
The foregoing document is approved as to form:
Robert E. Shannon, City Attorney By: Tiffani L. Shin, Deputy
Date:
<b>Oxnard Harbor District,</b> acting by and through its Board of Harbor Commissioners
By: Michael A. Plisky, President
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